

RUTHERFORD & CHRISTIE, LLP

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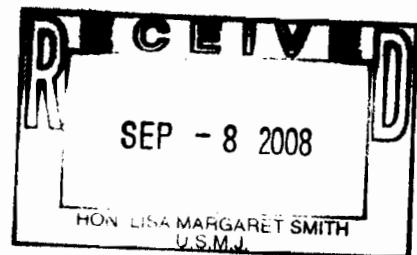
ATLANTA

MEMO ENDORSED

September 5, 2008

VIA FACSIMILE

Hon. Lisa Margaret Smith
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601



Re: Perez v. Bubaris, et al.
Docket No.: 07 CV 8780
Our File No.: 1020.035

Dear Magistrate Judge Smith:

We represent a defendant, George Bubaris, in the captioned matter. We have spoken to the Westchester County District Attorney's Office and agreed to a briefing schedule for our pending motion to compel and respectfully request that the Court So Order the schedule as follows:

1. Westchester County District Attorney's Office Opposition to be filed by September 25, 2008;
2. Our reply will be filed by October 10, 2008;
3. Oral argument, if any, to be scheduled by the Court.

Thank you for your consideration of this matter.

Very truly yours,

RUTHERFORD & CHRISTIE, LLP

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